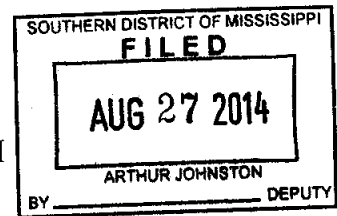


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL ACTION NO.

1:14cv330 LG-RHW

\$27,480.00 UNITED STATES CURRENCY;
\$4,896.00 UNITED STATES CURRENCY;
ONE (1) JIMENEZ ARMS MODEL J. A. NINE,
9MM CALIBER PISTOL, SN: 298395; and
ONE (1) DAVIS INDUSTRIES MODEL P380
.380 CALIBER PISTOL, SN: AP498807

DEFENDANT
PROPERTY

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

The United States of America, by and through its United States Attorney, brings this Verified Complaint for Forfeiture *in rem* and alleges as follows in accordance with Rule G(2) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is a civil action for forfeiture *in rem* brought against the defendant property to enforce the provisions of Title 21, United States Code, Sections 881(a)(6) and (11) which provides for the forfeiture of all moneys furnished, or intended to be furnished, by any person in exchange for a controlled substance, all proceeds traceable to such an exchange, and all moneys used or intended to be used to facilitate any violation of the Controlled Substances Act and any firearm used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of property in violation of the Controlled Substances Act.

JURISDICTION AND VENUE

2. This Court has jurisdiction over an action commenced by the United States pursuant to Title 28, United States Code, Section 1345, and over an action for forfeiture *in rem* under Title 28, United States Code, Section 1355.

3. Venue is proper in the Southern Division of the Southern District of Mississippi pursuant to Title 28, United States Code, Section 1355(b)(1)(A) and 1395(a), because the acts and/or omissions giving rise to the forfeiture occurred in this district and because the defendant property is located in this district.

THE DEFENDANT IN REM

4. The defendant property consists of the following described property:

- (1) \$27,480.00 United States Currency;
- (2) \$4,896.00 United States Currency;
- (3) One (1) Jimenez Arms Model J. A. Nine, 9mm Caliber Pistol, SN: 298395; and
- (4) One (1) Davis Industries Model P380 .380 Caliber Pistol, SN: AP498807.

Said defendant property was seized by the Drug Enforcement Administration (DEA) on or about May 7, 2014, as described in the Affidavit of Task Force Officer Adam K. Gibbons. The defendant property is presently in the custody of the Drug Enforcement Administration and/or the United States Marshals Office.

BASIS FOR FORFEITURE

5. The defendant property is subject to forfeiture pursuant to Title 21, United States Code, Sections 881(a)(6) and 11 because it constitutes moneys furnished or intended to be furnished by any person in exchange for a controlled substance, all proceeds traceable to such an

exchange, and all moneys used or intended to be used to facilitate any violation of the Controlled Substance Act and any firearm used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of property and any proceeds traceable to such property in violation of the Controlled Substances Act.

FACTS AND CIRCUMSTANCES

6. The Affidavit of Task Force Officer Adam K. Gibbons of the Federal Bureau of Investigation, attached hereto as Exhibit "A" and fully incorporated herein by reference, sets forth in more detail the facts and circumstances supporting the seizure and forfeiture of the defendant property.

CLAIM FOR RELIEF

WHEREFORE, Plaintiff, United States of America, requests that the Clerk of Court issue an Arrest Warrant *in rem* for the arrest of the defendant property pursuant to Supplemental Rule G(3)(b), which the Plaintiff will execute upon the property located in the custody of the United States of America pursuant to Title 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

WHEREFORE, Plaintiff, United States of America, prays that notice be given to all interested parties who reasonably appear to be potential claimants of interest in the defendant property to appear and show cause why the forfeiture should not be decreed, and that a judgment be entered declaring that the defendant property be condemned and forfeited to the United States of America for disposition according to law and for such other and further relief as this Court may deem just and proper.

RESPECTFULLY SUBMITTED, on this the 26th day of August, 2014.

Respectfully submitted,

GREGORY K. DAVIS
United States Attorney

By: 

J. Scott Gilbert
Assistant United States Attorney
501 E. Court Street, Suite 4.430
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(601) 965-4480 telephone
(601) 965-4409 facsimile
MSB: 102123
Scott.gilbert@usdoj.gov


VERIFICATION

I, Task Force Officer Adam K. Gibbons, hereby verify and declare under penalty of perjury that I am a Task Force Officer with the Drug Enforcement Administration, that I have read the foregoing Verified Complaint *in rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Task Force Officer of the Drug Enforcement Administration.

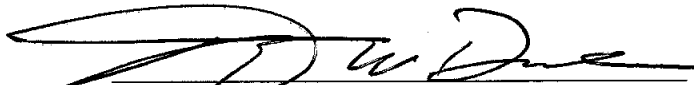
I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

WITNESS my signature this 21st day of AUGUST, 2014.



ADAM K. GIBBONS, TASK FORCE OFFICER
DRUG ENFORCEMENT ADMINISTRATION

Sworn to and subscribed before me, this the 21st day of August, 2014.



Notary Public

My Commission Expires:

03/09/2015

